

## INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

100 North Senate Avenue Room N955 Indianapolis Indiana 46204 PHONE (317) 232-1477 FAX (317) 232-1499

Mitchell E. Daniels, Jr., Governor Michael B. Cline, Commissioner

December 28, 2010

Ms. Cynthia T. Brown, Chief Section of Administration, Office of Proceedings Surface Transportation Board 395 E. Street, SW Room 1034 Washington, DC 20423-0001

Re: Docket No. AB 1065X

Dear Ms. Brown,

The Indiana Department of Transportation would like to provide a document for review in regard to Indiana Southwestern Railway (ISW) Co.'s abandonment exemption in Posey and Vanderburgh counties in Indiana.

Attached is ISW's Annual Report submitted to INDOT March 1, 2010 for the calendar year 2009. Indiana Code 8-3-1-1 (i) requires "every such carrier shall annually, before April 1, file with the department, under the signature and oath of the department's principal accounting officer, a detailed report, in the form prescribed by the department, of all the carrier's financial and business operations in Indiana for the year ending on the preceding December 31. "

All responses, except these mentioned have been redacted from the form: on page one, the owner/operator inquiry and on page two the final inquiry and the signed statement verification. ISW identifies itself as "OWNER" on page one, and on page two, responds: "NONE" to the statement: "Segments potentially subject to abandonment."

It's unclear if this statement would disqualify ISW from using the two-year out of service notice of exemption process.

I am available if additional information is required. Please contact me by phone at (317)232-1474 or through email at <a href="mailto:vkeefe@indot.in.gov">vkeefe@indot.in.gov</a> or my manager Michael Riley at (317)232-1491 or <a href="mailto:mdt.in.gov">mdriley@indot.in.gov</a>.

Thank you for your time.

Sincerely,

Venetta Keefe Discussion of Constitution of Co

Attachment

c: Parties of Record

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## **Corporate Profile**

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## Carload, Grade Crossing and Track Data

## The following information pertains to the railroad portion in Indiana

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